(3)

In the Honble High Court of Judicature of Chhattishgarh at Bilaspur (C.G.)

W.P. No. 1962 2006 SINGLE BENCH

P.R. No. 2025/06
Presented by : SF Verma
dated 13/4/06

Petitioner ... ... Sureshkumar Gautam, aged 40 years
Son of Shri Tulsiram Gautam
Assistant Teacher, High School, Urla,
Block, Tahsil and District Durg (C.G.)

Versus

Respondents ... 1. The State Government of Chhattishgarh,
Through the Secretary,
School Education Department Ministry,
D.K.S. Bhavan, Raipur (C.G.)

2. The District Education Officer, Durg (C.G.)

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Writ Petition under Articles 226 and 227 of the Constitution of India for the issuance of WRIT in the nature of MANDAMUS certiorari, Prohibition and for other Suitable writ or writs, order or orders, Direction or Directions.

XI-HC-22

(23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.1962/ सन् 2006

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	9-5-2006 Mr. Ajay Shrivastava, counsel for the petitioner. Mr. G.K. Beriwal, Deputy Advocate General with Mr. Sushil Dubey, Govt. Advocate for the State/respondents. Heard both the counsel. The main grievance of the petitioner raised in this writ petition under Articles 226 and 227 of the Constitution of India, is that in spite of passing the B.Ed. examination at his own expenses vide statement of marks (Annexure P-6) in the year 1993-94, he is not being given the benefit of two advance grade increments. The case of the petitioner is that the petitioner is M.Sc. & B.Ed. He was appointed on 1-2-1989 as Assistant Teacher. It has been mentioned in para 6 of the petition that the petitioner has passed B.Ed. examination at his own cost and therefore, he is entitled for two advance increments, and similarly situated persons Dhirendra Kumar Mishra & others were given the benefit of two advance increments as per the order dated 19-4-2001 (Annexure P-3) of the State Administrative Tribunal. On the last date of hearing i.e. 25-4-2006, notice has been accepted on behalf of the State/respondents by the Deputy Govt. Advocate and two weeks' time was sought to file reply. Till today, no reply has been filed. Therefore, the petition is being disposed of based on the pleadings and documents filed by the petitioner.	

XI-HC-22.

(24)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Perusal of Annexure P-4 dated 24-12-1998 issued by the Director, School Education, Madhya Pradesh, shows that the teachers who have passed the B.Ed. examination before 22-10-1964 and the teachers who have passed the B.Ed. examination after 22-10-1964 on their own expenses shall be entitled for two grade increments. Perusal of Annexure P-6, statement of marks, issued by the Deputy Registrar, Institute of Correspondence Courses, shows that the petitioner passed B.Ed. examination by correspondence course during the session 1993-94. Perusal of Annexure P-1, service book of the petitioner, shows that entry to that effect has been effected in the service book of the petitioner, even then, the petitioner is not being given the benefit of order dated 24-12-1998 passed by the Director, School Education, Bhopal, whereas, the State Administrative Tribunal vide order dated 19-4-2001 (Annexure P-3) ordered for grant of two increments to the similarly situated persons. Therefore, in view of the above factual position, the petitioner is also entitled for same benefit.

In the circumstances, the respondents are directed to grant two advance grade increments to the petitioner from the year when he passed the B.Ed. examination.

With the direction aforesaid, the petition stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

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